

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF EXCHANGE

APPLICATION NUMBER E887 (35-6429)

MEMORANDUM DECISION

Exchange Application Number E887 (35-6429), in the names of Steven D. and Sheila Allred and Dennis and Jan K. Daniels, was filed on May 20, 1975, to exchange 4.0 acre-feet of water as evidenced by Contract with Weber Basin Water Conservancy District, under Water Right Numbers 35-87 (A10989) and 35-827 (A27608). The 4.0 acre-feet of water is to be released into Ogden River and, in lieu thereof, 4.0 acre-feet of water will be diverted from a eight-inch well, 100 feet to 300 feet deep, located North 1075 feet and West 1030 feet from the S $\frac{1}{4}$  Corner of Section 28, T7N, R1E, SLB&M, and used for the irrigation of 0.75 acre, the stockwatering of six head of cattle or equivalent, and the domestic purposes of four families.

On October 1, 1975, Exchange Application Number E887 (35-6429) was approved by the State Engineer. Application Number E3333 (35-9893) was filed on September 7, 1994, and approved on January 20, 1995, to supersede and replace a portion of Application Number E887 (35-6429).

It is, therefore, **ORDERED** and Exchange Application Number E887 (35-6429) is hereby **REDUCED** by 3.0 acre-feet which represents the ownership interest of Dennis and January K. Daniels because Exchange Application Number E3333 (35-9893) has been filed to replace it. There remains 1.0 acre-foot in Exchange Application Number E887 in the names of Steven D. and Sheila Allred.

This Decision is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Decision. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 20th day of January, 1995.

  
Robert L. Morgan, P.E., State Engineer

RLM:JRM:mw

Mailed a copy of the foregoing Memorandum Decision this 20th day of January, 1995, to:

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BY: MaClovia White  
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